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Preparatory Committee for the 2020 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

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Non-proliferation in all its aspects

Working paper submitted by the Islamic Republic of Iran

1. Nuclear weapons, as the most horrendous, inhumane and indiscriminate weapons ever developed, are unique in their destructive power, in the unspeakable human suffering they cause, in the impossibility of controlling their effects in time and space and in the threat they pose to the environment, to future generations and, indeed, to the very survival of humanity. As agreed globally, the only absolute guarantee against the use or threat of use of nuclear weapons is their total elimination and assuring that they will never be produced again. Accordingly, nuclear disarmament has the highest priority in the field of disarmament.

2. Consequently, the non-proliferation of nuclear weapons, as only an interim measure to prevent the vertical and horizontal proliferation of such weapons, drives its legitimacy from the larger objective of nuclear disarmament. Therefore, the non-proliferation of nuclear weapons can neither be regarded as an independent objective nor be reduced only to the prevention of the acquisition of nuclear weapons by the non-nuclear-weapon States. While acknowledging the importance of non-proliferation and the accomplishments made thereon, the Islamic Republic of Iran is of the view that any hypothesis instilling that the Treaty on the Non-Proliferation of Nuclear Weapons has no other objective than non-proliferation is in clear contradiction with both the object and purpose and the letter and spirit of the Treaty, in particular its article VI, which is focused on nuclear disarmament.

3. The Islamic Republic of Iran shares the view that nuclear non-proliferation and nuclear disarmament are mutually reinforcing. However, they can be regarded as mutually reinforcing only if the non-proliferation efforts are accompanied by parallel practical steps on nuclear disarmament; if the effects of nuclear disarmament measures are not neutralized through proliferation efforts in the form of nuclear-weapon-sharing by the nuclear-weapon States; if the nuclear disarmament achievements are not defused by the vertical and horizontal proliferation of nuclear weapons by the nuclear-weapon States; and if the non-proliferation of nuclear weapons is not pursued at the price of a lack of any tangible progress on nuclear disarmament.

4. Therefore, reviewing the progress in the implementation of the non-proliferation provisions of the Treaty should be carried out, first and foremost,

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through assessing actual progress in nuclear disarmament. Additionally, the following elements should be taken into account: the establishment and promotion of the effectiveness of the nuclear-weapon-free zones and the nuclear-weapon-free status of concerned countries; advancing the universality of the Treaty; developing a universally effective, unconditional, legally binding instrument to assure the safety of non-nuclear-weapon States parties against the use or threat of use of nuclear weapons under all circumstances; and preventing: the horizontal and vertical proliferation of nuclear weapons; research on, and the development of, nuclear weapons; upgrading and refurbishing of existing nuclear weapons; the development new types of such weapons; the construction of new facilities for the production of nuclear-weapons; nuclear-weapon-sharing with other countries; the continuation of nuclear umbrella arrangements; and assisting other States, directly or indirectly, to manufacture or otherwise acquire nuclear weapons or other nuclear explosive devices.

5. In view of the aforementioned observations, the Islamic Republic of Iran attaches great importance to the full implementation of the non-proliferation provisions of the Treaty, as well as the relevant parts of the final documents of its Review Conferences.

6. In the view of the Islamic Republic of Iran, the best way to ensure the actual realization of the non-proliferation objective of the Treaty is indeed the full compliance of all States parties with all of their obligations thereunder. In this regard, full compliance of all the nuclear-weapon-States with their obligations, in particular under articles I and VI of the Treaty, is of outmost importance, as it can ensure progress on nuclear disarmament and the prevention of measures such as the modernization of nuclear weapons as well as nuclear-weapon-sharing and nuclear umbrella arrangements. In this connection, the importance of the full compliance of non-nuclear-weapon States parties engaged in nuclear-weapon-sharing and nuclear umbrella arrangements with their respective obligations under article II of the Treaty should also be underlined.

7. Moreover, another important and complementary option to ensure the full realization of the non-proliferation objective of the Treaty is its universalization. The failure of the Treaty in gaining this universal characteristic remains a serious challenge undermining its effectiveness and credibility, which needs to be addressed. As "zero" is called "the only safe number of nuclear weapons on the planet", undoubtedly, "zero is the only acceptable number of countries outside the Treaty". It is mainly due to the importance of this factor that the 2010 Review Conference called upon "all States parties to exert all efforts to promote universal adherence to the Treaty, and not to undertake any actions that can negatively affect prospects for the universality of the Treaty".

8. It is obvious, in particular, that the universality of the Treaty is of utmost importance in a region such as the Middle East, where the nuclear weapons of the Israeli regime continue to threaten the region and beyond. It was based on such an assumption that the 2000 Review Conference reaffirmed "the importance of Israel's accession to the Non-Proliferation Treaty and the placement of all its nuclear facilities under comprehensive [International Atomic Energy Agency] IAEA safeguards, in realizing the goal of universal adherence to the Treaty in the Middle East", as also reaffirmed by the 2010 Review Conference.

9. However, contrary to the action plan of the 2010 Review Conference, and in violation of the obligation of States parties under article III (2) of the Treaty, nuclear cooperation between a certain nuclear-weapon State and the Israeli regime has continued unabated. Moreover, the decision of the so-called Nuclear Supplier Group, consisting of a limited number of States parties to the Treaty, in authorizing

nuclear cooperation between its members and a non-party to the Treaty constitutes a clear breach of the obligations under articles I and III of the Treaty and the commitment made under paragraph 12 of decision 2 of the 1995 Review and Extension Conference (Principles and objectives for nuclear non-proliferation and disarmament) and paragraph 36 of the Final Document of the 2000 Review Conference, in which the States parties agreed that any new supply arrangements for the transfer of nuclear material or equipment should require, as a necessary precondition, acceptance of the full-scope of IAEA safeguards and internationally legally binding commitments not to acquire nuclear weapons or other nuclear explosive devices. Such acts have adverse effects on prospects for achieving the universality of the Treaty by sending a wrong message, that being a non-party to the Treaty is more privileged than being a non-nuclear-weapon State party to the Treaty.

10. At the same time, both nuclear-weapon-sharing between the nuclear-weapon States themselves and between them and non-nuclear-weapon States parties to the Treaty — the living example of which is the nuclear-weapon-sharing within a certain military alliance — are clear violations of the explicit obligations of concerned States parties under articles I and II of the Treaty. This trend is indeed a setback to the realization of the non-proliferation objective of the Treaty and seriously undermines its effectiveness and erodes its credibility. Regrettably, such unjustifiable practices are undertaken by those parties to the Treaty which pretend to be the strongest advocates of the non-proliferation of nuclear weapons. The Review Conference should address this violation and make practical decisions to rectify it.

11. The establishment of nuclear-weapon-free zones in different parts of the world and the creation of a nuclear-weapon-free status by a certain country, which led to the absence of nuclear weapons in the respective territory of that State and those parties to the treaties establishing such zones, are indeed other achievements in preventing the proliferation of nuclear weapons. They indeed contribute to the objectives of nuclear non-proliferation and disarmament, but are certainly not a substitute either for other non-proliferation measures or for the total elimination of nuclear weapons worldwide. At the same time, they are insufficient and incomplete unless and until the establishment of a nuclear-weapon-free world is realized. Other challenges of such zones is the abstention of certain nuclear-weapon States from granting full, effective, non-discriminatory, unconditional and irrevocable legally binding security assurances to all the parties to treaties establishing these zones against the threat or use of nuclear weapons under all circumstances. Likewise, the absence of political will by certain non-parties to the Treaty in support of the establishment of such zones in other parts of the world is another challenge in this regard; the living example of this is the refusal of the Israeli regime to participate in the implementation of the 1995 resolution adopted at the 1995 Review and Extension Conference and the 2010 action plan on the establishment of a nuclear-weapon-free zone in the Middle East.

12. Moreover, one of the factors negatively affecting the full realization of the non-proliferation provisions of the Treaty is the lack of sufficient security assurances against the use or threat of use of nuclear weapons. The existence of thousands of nuclear weapons continues to pose a serious security threat to the very survival of humankind. As long as such weapons exist, the risk of their possible use or threat of use persists. Thus, pending their total elimination, as the only absolute guarantee against their threat or use, there is a need, as an interim measure only, to grant to all non-nuclear-weapon States parties effective, universal, unconditional, non-discriminatory and irrevocable legally binding security assurances against the use or threat of use of nuclear weapons under all circumstances. This is important, as the current assurances are very limited, conditional, and insufficient and, above all, can justify the use of such weapons by resorting to such concepts as "defending

the vital interests" of a nuclear-weapon State or its "allies and partners". As the lack of progress in this field would deepen the already existing frustration of non-nuclear-weapon States about the current states of affairs with regard to the implementation of the nuclear disarmament and non-proliferation provisions of the Treaty, it needs to be considered by the Review Conference.

13. Likewise, the ongoing measures and plans of all nuclear-weapon States to modernize or upgrade their nuclear weapon arsenals, and of certain nuclear-weapon States to develop new types of such weapons, including new types of non-strategic nuclear weapons — that, by reducing the threshold for their use, increase the possibility and risk of their use — are other sources of grave concern with regard to nuclear disarmament and the non-proliferation of nuclear weapons. This trend, which continues to adversely affect the effectiveness of the Treaty and to undermine its object and purpose, needs to be effectively addressed by the Review Conference.

14. The Islamic Republic of Iran is of the view that the only non-proliferation measures that can be considered effective and in line with the realization of the objective of non-proliferation of nuclear weapons are those that are carried out in parallel with each other, and that, in practice, prevent completely the spread of nuclear weapons to geographical areas beyond the territories of the nuclear-weapon States, halt the assistance, directly or indirectly, to other countries, party or non-party to the Treaty, in manufacturing or otherwise acquiring or taking control over nuclear weapons or other nuclear explosive devices, and prevent the development of any new types of nuclear weapons or the upgrading of existing nuclear weapons — as it would be paradoxical to prevent the geographical proliferation of nuclear weapons and to reduce their number while preserving the same or a higher destructive power. This is because what essentially matters in the non-proliferation of nuclear weapons is not only preventing their spread or reducing their number, it is limiting their geographical scope, number and destructive power, and the possibility of their threat or use. Therefore, to be effective, non-proliferation measures, in addition to limiting the geographical scope of nuclear weapons, should also reduce the number and destructive power of such weapons and the possibility of their threat or use. At the same time, since the ultimate objective of all nuclear non-proliferation measures is nuclear disarmament, such measures should result in advancing the overall objective of nuclear disarmament.

15. One of the alarming trends in the implementation of the Treaty and in its Review Conferences is the attempt, by certain States parties, using non-proliferation as a pretext, aimed at restricting, directly or indirectly, the exercise of the inalienable right of States parties to use nuclear energy for peaceful purposes. As the Treaty itself clearly states "Nothing in this Treaty shall be interpreted as affecting the inalienable right of all the Parties to the Treaty to develop research, production and use of nuclear energy for peaceful purposes without discrimination", and all such measures should be considered as clear violations of the object and purpose and the letter and spirit of the Treaty. Equally, the persistence of this trend would continue to hamper "the economic or technological development of the Parties or international cooperation in the field of peaceful nuclear activities, including the international exchange of nuclear material and equipment for the processing, use or production of nuclear material for peaceful purposes", which, according to the Treaty shall be avoided by all the parties. The Islamic Republic of Iran is of the view that no genuine non-proliferation measure can, or should, limit or suspend, partly or in full, any element of the inalienable right of all the parties under article IV of the Treaty, let alone use non-proliferation as a pretext to violate that right. Due to its importance, this issue needs to be effectively addressed by the Review Conference.

16. Expressing deep concern over the failure of the 2015 Review Conference of the Treaty, which could also negatively impact the full realization of the non-proliferation provisions of the Treaty, the Islamic Republic of Iran is of the view that the 2020 Review Conference should review the progress made in the implementation of the Treaty provisions regarding the non-proliferation of nuclear weapons, as well as related parts of the final documents of its Review Conferences, and take appropriate decisions thereon. To that end, the Islamic Republic of Iran proposes the following elements for incorporation into the final document of the 2020 Review Conference:

> "*Reaffirming* that the full and effective implementation of the obligations under the Treaty on not transferring to any recipient whatsoever nuclear weapons or other nuclear explosive devices or control over such weapons or explosive devices directly, or indirectly, and not in any way to assist, encourage, or induce any non-nuclear-weapon State to manufacture or otherwise acquire nuclear weapons or other nuclear explosive devices, or control over such weapons or explosive devices, is essential for achieving the objective of the non-proliferation of nuclear weapons and the universality of the Treaty;
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> "*Confirming* the continued validity of all decisions on the non-proliferation of nuclear weapons agreed to at the Review Conferences of the Treaty until all their objectives are achieved;
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> "*Confirming also* the commitment of concerned nuclear-weapon States to put an immediate end to the nuclear-weapon-sharing and nuclear umbrella arrangements;
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> "*Confirming further* the commitment of all nuclear-weapon States to cease completely, and no later than 2025, all plans aimed at upgrading and refurbishing their existing nuclear weapon systems, developing new types of nuclear weapon systems and constructing any new facility for the development, deployment and production of nuclear weapons at home and abroad;
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> "*Underlining* that States parties to the Treaty, in conformity with its provisions, shall avoid using non-proliferation as a means to impose restrictions or limitations on the peaceful nuclear activities of other States parties, including the fullest possible exchange of equipment, materials and scientific and technological information for the peaceful uses of nuclear energy."